

Approved 4/17/08
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

Zoning Board of Appeals meeting held on Thursday, February 21, 2008 at the Mildred A. Wakeley Recreation and Community Center, in Room #2, at 7:30 PM.

MEMBERS PRESENT:

Robert F. Hannon, Chairman
Theresa Ranciato-Viele, Secretary
Caren M. Genovese
Joseph Cappucci
Cheryl Juniewicz, Alternate, sitting for Anthony Pileggi

MEMBERS ABSENT:

Anthony P. Pileggi, Vice Chairman
Robert E. Martin, Alternate
Mary Jane Mulligan, Alternate

TOWN PERSONNEL:

Alan A. Fredricksen, Land Use Administrator

OTHERS PRESENT:

Mary Lee Rydzewski, Public Stenographer
Sandi Lion, Clerk

AGENDA:

Mr. Hannon called the meeting to order at 7:33 PM. He introduced the members of the Board, the Town staff, the stenographer and clerk. Mr. Hannon explained that under the Connecticut State Statutes for an appeal request to be approved, the applicant needs a minimum of four (4) Board members to concur. A simple majority of three (3) to two (2) will not approve an application for an appeal or variance. Mr. Fredricksen then stated that application #08-25, 191 Cloudland Road, did not state the date, time, and location of this meeting in their certification notice. Mr. Hannon explained to the applicant that this situation could leave him open for an appeal. Mr. Fredricksen stated that the applicant would still like to present the application.

Mrs. Ranciato-Viele read the call for the first agenda item.

1. #08-25 Application of Kevin J. Ahern, Litchfield Builders, Inc., Applicant, Michael J. Ajello, Owner, relative to 191 Cloudland Road, (Map 8, Lot 45), per Section 2.1.1.9, requesting a variance of 10' to permit a front yard of 40 feet, where 50 feet is required. R-40 Zoning District.

Kevin Ahern of Litchfield Builders presented the application for a front yard variance for a front porch. A front yard of 40 feet is being requested where 50 feet is required. The Commission asked about limiting the variance to the length of the house only excluding the garage.

Mr. Hannon asked for public comment; being none, the matter was closed.

Mrs. Ranciato-Viele read the call for the second agenda item.

2. #08-26 Application of Timothy J. Lee, Esquire, Applicant, 354 Washington Avenue, LLC, Owner, relative to 344 Washington Avenue, (Map 85, Lot 123), per Section 8.10.3.1., requesting a variance to allow a liquor permit within 300' of a school, where 500' is required. CB-40/R-12 Zoning Districts.

Attorney Timothy Lee presented the application for a liquor permit for a sushi restaurant. There will be no bar area, the applicant is proposing a service bar for seated patrons only. The applicant is requesting a variance to allow a liquor permit within 300' of a school where 500' is required. The Commission asked questions and Attorney Lee responded.

Mr. Hannon asked for public comment, being none, the matter was closed.

DELIBERATION SESSION:

1. #08-25 Application of Kevin J. Ahern, Litchfield Builders, Inc., Applicant, Michael J. Ajello, Owner, relative to 191 Cloudland Road.

Mrs. Ranciato-Viele moved to approve the application; Mr. Cappucci seconded the motion.

Mrs. Ranciato-Viele moved to amend the motion by placing the variance for the length of the house only, minus the garage; Mr. Cappucci seconded the motion. All were in favor.

The Board voted on the amended motion, as follows:

Hannon – aye Ranciato–Viele – aye Cappucci – aye Genovese – aye Juniewicz – aye

The Board stated the following:

1. The variance is limited to the work of this addition only, and only for the length of the proposed house.
 2. The request is reasonable and conforms to the neighborhood.
2. #08-26 Application of Timothy J. Lee, Esquire, Applicant, 354 Washington Avenue, LLC, Owner, relative to 344 Washington Avenue.

Mrs. Genovese moved to approve the application; Mrs. Ranciato-Viele seconded the motion. The Board voted as follows:

Hannon – aye Ranciato–Viele – aye Cappucci – aye Genovese – aye Juniewicz - aye

The Board stated the following:

1. The variance is limited to this building (Unit #10) only, for this particular restaurant only, and service bar only.
2. The request is within the required zoning regulations and is in conformance with other businesses located on Washington Avenue.

OTHER: None

CEASE AND DESIST ORDERS: None

CORRESPONDENCE: Connecticut Federation of Planning & Zoning Agencies
Quarterly Newsletter, Winter 2008 and 60th Annual Conference
Registration.
FOIA, Municipal Leader Training

Mr. Hannon read a letter from Anthony Pileggi to Janet McCarty stating that he will be stepping down from his position as Vice Chairman due to the relocation of his job.

MINUTES:

January 17, 2008

Mr. Cappucci moved to approve the minutes of January 17, 2008; Ms. Juniewicz seconded the motion; the Board members voted as follows:

Hannon – aye Ranciato-Viele – aye Cappucci – aye Juniewicz – aye

ADJOURN:

There being no further business, Mr. Cappucci moved to adjourn; Ms. Juniewicz seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 7:56 PM.